

REMARKS

The foregoing amendments in the specification and claims are fully supported by the specification and claims as originally filed, and do not add new matter. The specification has been amended to delete references to embedded hyperlinks and/or browser-executable code, and to add sequence identification numbers in compliance with 37 C.F.R. §1.821 *et seq.* Further, a paragraph starting on page 39, line 26 of the specification has been added to comply with the provisions of the Budapest Treaty.

Claims 40-45 are pending after entry of the instant amendment. Applicants expressly reserve the right to pursue any canceled matter in subsequent continuation, divisional or continuation-in-part applications.

I. Sequence Listing

Applicants submit herewith an amended Sequence Listing, in paper and computer readable form, dated March 2, 2006, and a Statement pursuant to 37 C.F.R. §1.821. The specification has been amended to include reference to the enclosed sequence listing. The amended Sequence Listing includes all of the sequences disclosed in the specification and drawings, including those at, for example, page 37, line 26, page 41, line 19, and page 42, line 21. No new matter has been added. Entry of the amended Sequence Listing is respectfully requested.

II. Specification

As requested by the PTO, Applicants have reviewed the application and deleted all references to embedded hyperlinks and/or browser-executable code. A paragraph starting on page 39, line 26 of the specification has been added to comply with the provisions of the Budapest Treaty. The specification has been amended to remove the redundant priority information on page 50, and to remove the portion of a sequence listing on page 50. Additionally, the abstract has been corrected to refer to "STEAP" polypeptides rather than "STRAP" polypeptides.

The Examiner also objects that there are several sequence disclosures that do not have associated sequence identifiers. The specification has been amended herein to add sequence

identification numbers in compliance with 37 C.F.R. §1.821 *et seq.* These sequences have been included in the amended Sequence Listing, as discussed above.

The Examiner also objects to page 50 of the specification, stating that the reference to the provisional applications, as previously set forth in the preliminary amendment filed December 31, 2003, is redundant. The specification has been amended herein to delete the redundant paragraph referencing the provisional applications.

The Examiner further states that lines 20+ of page 50 appear to contain portions of a sequence listing, which should be on a separate sheet of paper. The specification has been amended herein to delete the sequence listing information from page 50. Furthermore, as discussed above, the specification has been amended herein to replace the current sequence listing (the remainder of which appears on pages 51-60 of the specification as filed) with the attached amended Sequence Listing dated March 2, 2006. Once entered, the amended Sequence Listing replaces the original one.

III. Drawings

The Examiner objects to Figure 10 and Figures 11A and 11B for referring to “STRAP” polypeptides instead of “STEAP” polypeptides. Figures 5, 6, 7, 10, 11A, 11B, and 17 have been amended to refer to “STEAP” polypeptides rather than “STRAP” polypeptides. Figure 17 has also been amended to correct the position and the truncation of the chromosome figure, and to remove the text at the top of the Figure (“GDB Comprehe”).

The Examiner further objects to Figure 11B for showing two polypeptide sequences that do not have sequence identifiers associated with them. Figures 1A, 1C, 4, 9, 10, 11A, and 11B have been amended to include sequence identification numbers.

No new matter has been added. Replacement drawings in accordance with 37 C.F.R. §1.121(d) are submitted herewith, and entry of the enclosed replacement drawings is respectfully requested.

IV. Claim Rejections Under 35 U.S.C. §112, First Paragraph (Enablement)

Claims 40-45 are rejected under 35 U.S.C. §112, first paragraph as allegedly lacking enablement because of failure to comply with the requirements for the deposit of biological organisms.

Applicants submit that the specification has been amended on page 39 to recite the proper information regarding the biological deposit as required under 37 CFR §§1.801-1.809. Therefore the rejection is rendered moot, and withdrawal of this rejection is respectfully requested.

V. Double Patenting

Claims 40-41 and 43-44 are provisionally rejected under 35 U.S.C. §101 as allegedly claiming the same invention as that of Claims 4-8 of co-pending US Application No. 11/225,661.

Applicants respectfully submit that as this is the only objection remaining, it should be withdrawn in the present case and repeated in pending US Application No. 11/225,661, if appropriate.

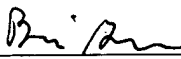
CONCLUSION

In conclusion, the present application is believed to be in *prima facie* condition for allowance, and an early action to that effect is respectfully solicited. Should there be any further issues outstanding, the Examiner is invited to contact the undersigned at the telephone number shown below.

Please charge any additional fees, including fees for additional extension of time, or credit overpayment to Deposit Account No. 08-1641 (referencing Attorney's Docket No. 39766-0160R1D2).

Respectfully submitted,

Date: March 20, 2006


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In the Figures:

Figures 1A, 1C, 4, 9, 10, 11A, and 11B have been amended to include sequence identification numbers. Replacement drawings in accordance with 37 C.F.R. §1.121(d) are submitted herewith for consideration.

Figures 5, 6, 7, 10, 11A, 11B, and 17 have been amended to refer to “STEAP” polypeptides rather than “STRAP” polypeptides. Figure 17 has also been amended to correct the position and the truncation of the chromosome figure, and to remove the text at the top of the Figure (“GDB Comprehe”). Replacement drawings in accordance with 37 C.F.R. §1.121(d) are submitted herewith for consideration.

A replacement drawing for Figure 2 is submitted which provides a clearer reproduction of the data shown. No amendments have been made to Figure 2.